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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 4987 of 2007

PETITIONER Mansharam Yadu, s/o Shri Sadhuram, aged about 57 years, Patwari, P.C. No.15 Bawankera, R.I. Circle Patewa, Tahsil & Distt. Mahasamund (C.G), R/o Bawankera, R.I. Circle Patewa, Tahsil & Distt. Mahasamund (C.G).

Versus

RESPONDENTS

1. The State of Chhattisgarh, through the Secretary, Department of Revenue, D.K.S. Bhawan, Raipur (C.G).
2. The Collector, Mahasamund, Distt. Mahasamund (C.G).
3. Joint Collector, Mahasamund, Distt. Mahasamund (C.G).
4. Sub-Divisional Officer (R), Sub Division Mahasamund, Distt. Mahasamund (C.G).
5. Kaliram Sinha, Patwari, P.C.No.16 Nartora, Mahasamund, Distt. Mahasamund (C.G.).

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri Raghavendra Pradhan, counsel for the petitioner.

Shri Yashwant Singh, Govt. Advocate, appears for the State/respondents no.1 to 4 on advance copy.

ORAL ORDER
(29.08.2007)

SUNIL KUMAR SINHA, J.

Heard on admission.

The petitioner, who is working on the post of Patwari in P.C. No.15, R.I. Circle Patewa, village Bawankera, Teh. Mahasamund has been transferred from the said place to P.C.No.16 Nartora, Tah. Mahasamund on administrative grounds.

Learned counsel for the petitioner submits that the respondent No.5 has been transferred on the place of the

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petitioner which is his native place, where he holds some landed property in Kh.No.1213, therefore, the order is vitiated by malafides as it appears to have been passed to accommodate respondent no.5 in place of the petitioner.

I do not find any force in the said argument advanced by learned counsel for the petitioner. It has been shown that the petitioner as also respondent no.5 both have been transferred on administrative grounds. Had it been a case where the respondent no.5 would have been transferred to the place of the petitioner on his own request and the petitioner would have been sent to the place of respondent no.5 on administrative ground then it would have been said to be a case of transfer for accommodating respondent no.5, thereby the order being vitiated by malafides, but here both have been transferred on administrative grounds, therefore, it cannot be said that some malafide is apparent on the face of record.

No other ground is pressed before me. I do not find any ground in the petition. The petition has no merit and the same is dismissed at the motion stage itself.

Sd/-
Sunil Kumar Sinha
Judge